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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 IN RE: SOCIAL MEDIA ADOLESCENT
 13 ADDICTION/PERSONAL INJURY
 PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR
 MDL No. 3047

14 This Document Relates to:

15 *S.P., filed on behalf of minor A.P. v. Meta*
 16 *Platforms, Inc., et al., 4:24-cv-01817*

17 *S.L. on behalf of K.A. v. Snap, Inc., et al.,*
 18 *4:24-cv-01868*

19 *S.G. individually and on behalf of C.G. v.*
YouTube, LLC, et al., 4:24-cv-01843

PLAINTIFFS' NINTH CONSOLIDATED *EX PARTE* APPLICATION FOR APPOINTMENT OF GUARDIANS *AD LITEM*

22 **APPLICATION**

23 Pursuant to this Court's Order Regarding Appointment of Guardian *Ad Litem* ("Guardians
 24 *Ad Litem* Order") (ECF No. 122 at 3), Plaintiffs' Liaison Counsel, Jennie Lee Anderson, hereby
 25 submits Plaintiffs' Ninth Consolidated *Ex Parte* Application for Appointment of Guardians *Ad*
 26 *Litem* ("*Ex Parte* Application") for this Court's consideration.

27 "Fit parents are presumed to act in the best interests of their children." *J.B. by &*
 28 *Through Billiet v. Tuolumne Cnty. Superintendent of Sch.*, No. 19-cv-0858-NONE-EPG, 2021

1 WL 3115195, at *2 (E.D. Cal. July 22, 2021) (citing *Troxel v. Granville*, 530 U.S. 57, 66 (2000);
 2 *Doe v. Heck*, 327 F.3d 492, 521 (7th Cir. 2003)); *see also Brown v. Alexander*, No. 13-cv-01451-
 3 RS, 2015 WL 7350183, at *1 (N.D. Cal. Nov. 20, 2015) (“In general, a parent who is also a party
 4 to the lawsuit is presumed to be a suitable guardian ad litem, and so the court often appoints the
 5 parent as guardian ad litem upon receipt of an ex parte application without exercising much
 6 discretion.”) (citation omitted). Absent a conflict of interest, “[a] parent is generally appointed
 7 guardian *ad litem*.” *A.G. v. South Bay Dreams Coop., Inc.*, No. 16-cv-02598-RNB, 2018 WL
 8 2002370, at *3 (S.D. Cal. Apr. 30, 2018) (citing *Anthem Life Ins. Co. v. Olguin*, No. 06-cv-
 9 01165-AWI NEW (TAG), 2007 WL 1390672, at *3 (E.D. Cal. May 9, 2007)); *accord J.M. v.*
 10 *Liberty Union High Sch. Dist.*, No. 16-cv-05225-LB, 2016 WL 4942999, at *2 (N.D. Cal.
 11 Sept. 16, 2016). However, “[w]hen there is a potential conflict between a perceived parental
 12 responsibility and an obligation to assist the court in achieving a just and speedy determination of
 13 the action, a court has the right to select a guardian ad litem who is not a parent if that guardian
 14 would best protect the child’s interests.” *J.M.*, 2016 WL 4942999, at *1 (citations omitted)
 15 (internal quotation marks omitted).

16 Attached as Exhibits 1-3 to the Declaration of Jennie Lee Anderson in Support of
 17 Plaintiffs’ Ninth Consolidated *Ex Parte* Application for Appointment of Guardians *Ad Litem*
 18 (“Anderson Decl.” or “Anderson Declaration”) are the *Ex Parte* Applications for Appointment of
 19 Guardians *Ad Litem* (“Applications”) submitted by the parents and/or legal guardians of individual
 20 minor Plaintiffs in the following cases:

- 21 • *S.P., filed on behalf of minor A.P. v. Meta Platforms, Inc., et al.*, 4:24-cv-01817 (Exhibit
 22 1);
- 23 • *S.L. on behalf of K.A. v. Snap Inc., et al.*, 4:24-cv-01868 (Exhibit 2); and
- 24 • *S.G. individually and on behalf of C.G. v. YouTube, LLC, et al.*, 4:24-cv-01843
 25 (Exhibit 3).

26 Exhibits 1-3 to the Anderson Declaration are Applications submitted to Plaintiffs’ Liaison
 27 Counsel for filing since the last guardian *ad litem* submission. The Applications attached to the
 28 Anderson Declaration as Exhibits 1-3 are consistent with Attachment A to this Court’s Guardian

1 *Ad Litem* Order (ECF No. 122) and include (1) the applicant's name and contact information
 2 (including address, email, and telephone number); (2) the name, case number, state of domicile
 3 (and its minimum age of capacity); (3) a sworn statement that the applicant is the parent and/or
 4 legal guardian of the minor plaintiff; and (4) a sworn statement affirming that the applicant is
 5 fully competent and qualified to understand and protect the rights of the minor plaintiff and has
 6 no interests adverse to the interests of that person. Anderson Decl. ¶ 6.

7 Pursuant to this Court's Guardians *Ad Litem* Order, the Applications by parents and/or
 8 legal guardians in the cases listed above are deemed presumptively approved upon filing, as there
 9 is no apparent conflict between the applicants' parental responsibility and their obligation to assist
 10 the Court in "achieving a just and speedy determination of the action." ECF No. 122 ¶ 4 (citing
 11 *J.M.*, 2016 WL 494299, at *1). This Court also ordered that, absent the filing of an objection, the
 12 presumptive approval shall become final fifteen days after the date this *Ex Parte* Application is
 13 filed. ECF No. 122 ¶ 5. Therefore, the objection period will close on May 25, 2024.

14 Accordingly, Plaintiffs submit herewith a [Proposed] Order Granting *Ex Parte*
 15 Applications and Appointing Guardian *Ad Litem* appointing the parent and/or legal guardian
 16 named in the Applications submitted in the case listed above.

17 Dated: May 10, 2024

Respectfully submitted,

18
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